



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-16-00270-CV

PATRICIA O'LINDA SCOTT

APPELLANT

V.

MIGUEL ANGEL MAIRENA;
SERPRO LOGISTICS; NEUSE
MANAGEMENT LLC US DOT
1391104, D/B/A NEUSE
MANAGEMENT TRANSPORT; AND
EDWIN HERNANDEZ

APPELLEES

FROM THE 342ND DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 342-277174-15

MEMORANDUM OPINION¹

Appellant Patricia O'Linda Scott attempts to appeal from the trial court's order granting summary judgment in favor of Appellees Serpro Logistics (Serpro)

¹See Tex. R. App. P. 47.4.

and Neuse Management, LLC US DOT 1391104, d/b/a Neuse Management Transport (Neuse). Despite Appellant's assertion that summary judgment was granted for all defendants and that the judgment is therefore final, the summary judgment order states that it is a final judgment only as to Serpro and Neuse. Other defendants remain in the case pending in the trial court.

Accordingly, on August 1, 2016, this court notified Appellant of our concern that we lack jurisdiction over this appeal because the order does not appear to be final or an appealable interlocutory order. We informed Appellant that the appeal would be subject to dismissal absent a response from Appellant or another party showing grounds for continuing the appeal. We have received no response.

Consequently, because this interlocutory summary judgment is not appealable, and the trial court has not yet disposed of the remaining parties, we dismiss this appeal for want of jurisdiction.²

²See Tex. Civ. Prac. & Rem. Code Ann. § 51.014(a) (West Supp. 2016) (listing types of appealable interlocutory orders); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (stating that generally appeal may be taken only from final judgment and that judgment is final and appealable if it disposes of all parties and all issues); see also Tex. R. App. P. 42.3(a), 43.2(f); see also *Scott v. Serpro Logistics*, No. 02-15-00278-CV, 2015 WL 5893234, at *1 (Tex. App.—Fort Worth Oct. 8, 2015, no pet.) (mem. op.) (dismissing Appellant's prior appeal of prior interlocutory summary judgment).

PER CURIAM

PANEL: DAUPHINOT, GARDNER, and WALKER, JJ.

DELIVERED: August 31, 2016